

OFFICIAL

In the United States Patent and Trademark Office

Applicants: M. A. Burazin et al.
Serial No.: 10/015,849
Confirmation No: 8510
Filed: November 2, 2001

Docket No.: 14,923E
Group: 1731
Examiner: E. Hug
Date: March 12, 2003

For: METHOD OF MANUFACTURE
OF TISSUE PRODUCTS
HAVING VISUALLY
DISCERNABLE BACKGROUND
TEXTURE REGIONS
BORDERED BY CURVILINEAR
DECORATIVE ELEMENTS
USING FABRICS COMPRISING
NONWOVEN ELEMENTS

RECEIVED

MAR 13 2003

RECEIVED

Provisional Terminal Disclaimer

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

The Present Application

1. Kimberly-Clark Worldwide, Inc., doing business at 401 North Lake Street, Neenah, Wisconsin, 54956, is the assignee of the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 10/015,849 filed on November 2, 2001 for "Method Of Manufacture Of Tissue Products Having Visually Discernable Background Texture Regions Bordered By Curvilinear Decorative Elements Using Fabrics Comprising Nonwoven Elements".
2. Assignment of the inventors' rights in present patent application serial number 10/015,849 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 012859, Frame 0716.

Copending Commonly Assigned Application

1. Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to copending U.S. patent application serial number 10/015,837 filed on November 2, 2001 for "Fabric For Use In The Manufacture Of Tissue Products Having Visually Discernable Background Texture Regions Bordered By Curvilinear Decorative Elements And Method Thereof".
2. Assignment of the inventors' rights in copending patent application serial number 10/015,837 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 012711, Frame 0658.

03/14/2003 BMURPHY 00000003 110875 10015849
01 FC:1814 110.00 CH

Right of Assignee to Prosecute

Kimberly-Clark Worldwide, Inc. certifies:

- (a) that the evidentiary documents have been reviewed; and
- (b) that to the best of Kimberly-Clark Worldwide, Inc.'s knowledge and belief, title of present U.S. patent application serial number 10/015,849 is in Kimberly-Clark Worldwide, Inc.

Provisional Terminal Disclaimer

- 1. In the event that a patent based upon copending U.S. patent application serial number 10/015,837 issues prior to any patent based upon the present U.S. patent application serial number 10/015,849, Kimberly-Clark Worldwide, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present U.S. patent application serial number 10/015,849, which would extend beyond the expiration date of the full statutory term, including any applicable term extensions, defined in 35 U.S.C. 154 and 156 for said earlier issuing patent.
- 2. Kimberly-Clark Worldwide, Inc. hereby agrees that any patent granted upon present U.S. patent application serial number 10/015,849 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to copending U.S. patent application serial number 10/015,837 and any patent(s) issuing therefrom. This agreement shall run with any patent granted upon present U.S. patent application serial number 10/015,849 and shall be binding upon the Kimberly-Clark Worldwide, Inc., its successors and/or assigns.

Exceptions to Provisional Terminal Disclaimer

In the event that, after the filing of this Terminal Disclaimer, any patent based upon copending U.S. patent application serial number 10/015,837:

- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole;
- (e) is terminally disclaimed under 37 C.F.R. 1.321(a);
- (f) has all of its claims canceled in a reexamination certificate; or
- (g) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. 154 prior to the expiration of its full statutory term;

Kimberly-Clark Worldwide, Inc. specifically does not disclaim any terminal part of any patent granted on the present U.S. patent application serial number 10/015,849 prior to the expiration date of the term defined in 35 U.S.C. 154 and 156 including any term extensions as applicable to any patent granted on copending U.S. patent application serial number 10/015,837.

Fee

Pursuant to 37 C.F.R. 1.321(c)(1), please charge the \$110.00 fee due in accordance with 37 C.F.R. 1.20(d) to Kimberly-Clark Worldwide, Inc.'s deposit account number 11-0875. This Provisional Terminal Disclaimer is filed in duplicate.

The undersigned is an attorney of record in the present application having serial no.10/015,849.

Respectfully submitted,

KIMBERLY-CLARK WORLDWIDE, INC.

M. A. BURAZIN ET AL.

By: 

Patricia A. Charlier

Reg. No. 38,840

Date: March 12, 2003

CERTIFICATE OF FACSIMILE TRANSMITTAL

I, Judy Garot, hereby certify that on March 12, 2003 this Provisional Terminal Disclaimer is being transmitted via facsimile to the United States Patent Office.

By: 

Judy Garot